

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, JULY 12, 2016
5:30PM AT TOWN HALL
Approved Minutes**

Called to order at 5:30pm

Town Board Members Present: Jim Patterson, Mike Anderson, Sue Brenna, John Carlson, Mike Starck

Staff present: Lisa Potswald, Kristian Larsen, Elected Clerk Micaela Montagne

Public Present: Glenn Carlson, Theodore Gephart, Tom Nelson, Paul Brummer, Charles Brummer, Jim Peters

I. Public Comment A*: Paul Brummer corrected his public comment from the June 28, 2016 Draft Minutes with submitting a written correction.

II. Town Administrator's Report: Report dated July 8, 2016 prepared and presented by Administrator Lisa Potswald placed on file by Unanimous Consent.

III. Public Works

A. Roads

1. Foreman's Report: Discussion included life rings are now located at Big Bay Town Park and Joni's Beach in case of emergencies, a sink was broken while campers sought refuge in the shower facility at Big Bay Town Park, there is a leak in the Town Hall basement that is being watched, the roll off truck for hauling waste is running but is still waiting on a lift cylinder, and on July 21 an issue with the Library power will be fixed. Report prepared and presented by K. Larsen dated June 2016 placed on file by Unanimous Consent.

2. Big Arn's Road and Brian's Road: Town Hall staff are working on putting together an analysis and cost analysis. A wetland delineation will be around \$6500, and an estimate on the engineering cost is waiting.

3. Opening and use of Pickerel Street: A written request was submitted by Theodore Gephart and Tom Nelson to use Pickerel Street, a platted road, but undeveloped. Town Ordinance Chapter 394-4 states that the property owner needs to get a certified survey map prior to starting the process, but T. Gephart states that has been difficult for him. Gephart is hoping to have access to his property, with a place to park while he works on the property, and would like to use Pickerel Street as he cannot park on Sunny Slope. Lengthy discussion on options, including T. Gephart asking to put in a culvert on Pickerel Street to gain access, T. Gephart putting in a temporary driveway on his own property, prior president being set, but the possibility of procedure not being followed correctly. The Town Board wants to make sure that no matter what was done in the past, they are following procedure, ordinances and state law with future decisions. Motion to have Opening and use of Pickerel Street go to the Town Plan Commission for further information, J. Carlson/ M. Anderson. Continued discussion on having T. Gephart work on getting a certified survey map, T. Gephart's difficulty with the survey map because he does not know how he would orient the lot- based on if Pickerel Street would be open or not, and the possibility of T. Gephart being able to park on Sunny Slope for now. Vote on the

motion to refer the issue to the TPC: 3 Ayes (M. Anderson, J. Carlson, J. Patterson), 2 Nays (S. Brenna, M. Starck), Motion Carried.

B. Parks

1. Leisure Interactive Updates: No updates at this time.

C. Materials Recovery Facility (MRF)

1. MRF Supervisor's Report: Report prepared by T. Pallas dated July 10, 2016 placed on file by Unanimous Consent.

IV. Committees

A. Planning and Zoning

1. Planning and Zoning Administrator's Report: Report prepared by Zoning Administrator R. Gillman for the month of June 2016 placed on file by Unanimous Consent.

V. Town Hall Administration

A. Budget Report: Will be on the next agenda.

B. Grant Updates: Nothing at this time.

C. Business Permit for Non-Motorized and Motorized Vessels: Motion to approve the Business Permit for Non-Motorized and Motorized Vessels, M. Starck/ S. Brenna, 5 Ayes, Motion Carried. Discussion on the permit fee- should at least cover the cost of an hour's worth of work for Town Staff, at least \$20 to \$25. Motion to put a \$30 fee on the annual business permit for Non-Motorized and Motorized Vessels, M. Anderson/ M. Starck, 5 Ayes, Motion Carried.

D. Non-motorized Vessel Ordinance Chapter 432 Changes: Motion to approve the changes to the Non-motorized Vessel Ordinance, Chapter 432, M. Starck/ J. Carlson, 5 Ayes, Motion Carried.

E. Tax Assessment Correction, 2015 Tax Bill, Marjorie Smith: Assessor J. Martin made a mistake on the 2015 Assessment roll by not putting a correction on the roll which resulted in M. Smith owing \$4342.74 more in payable 2016 property taxes than she should have. The Town has been in communication with the Department of Revenue on how to remedy the situation. Motion to go with option number two laid out in Lisa memo dated July 8, 2016 that states the Town will pay the remaining \$4342.74 to the county due July 31, 2016 and will report the payment as illegal taxes refunded (The Town will file for a chargeback to the Department of Revenue to recoup as much of the funds as possible). The motion also included sending a letter to Assessor Jennie Martin that requests that the \$4342.74 balance be deducted from her check per her contract for 2016 assessing services, or pursue payment from her insurance company, and sending a letter to M. Smith letting her know that she is not responsible for the \$4342.74. Motion by M. Anderson, second by M. Starck, 5 Ayes, Motion Carried.

F. Consider Options for Collecting Reimbursement Funds for Palpable Error on 2015 Tax Bill: as discussed in the last agenda item, the request has been sent to Jennie to have the \$4342.74 come out of her check per her contract for 2016 assessing or from her insurance company.

G. Propane Proposals for 7/1/16 to 6/30/17: Discussion on how the Brummer Company is local and can be available 24 hours a day, 7 days a week if need be, but if the cost of propane is on the high end of their proposal (\$2.00 per gallon), the town could pay up to \$10,000 more than if they go with Midland with a proposed rate of \$1.17 per gallon. Motion to go with Midland Services proposal for propane at \$1.17 per gallon, M. Starck/ M. Anderson, 4 Ayes, 1 Nay (S. Brenna would like to support local), Motion Carried.

H. Septic Waste Removal Contract with Island Septic for 7/1/16 to 6/30/19: Motion to approve the Septic Waste Removal Contract with Island Septic for a three year period of 7/1/16 to 6/30/19 based on their proposal (opened at the last meeting with rates of \$90 per pump out and \$70 for the pump out each set of two porta pottys), M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

Supervisor M. Starck left the meeting.

I. Policies and Procedures for the Cost of Living and Merit Wage Increases: M. Starck submitted a memo that stated he would like the Town Board to review evaluations since they are in charge of approving wage increases. Discussion on how the department heads review their employees, the Town Administrator reviews the department heads and can discuss employees, and the Administrator gives a summary to the Town Board unless there is a specific problem or issue that needs to be dealt with. This way the evaluations remain in the personnel file and are not public documents. Motion to approve the Policies and Procedures for the Cost of Living and Merit Wage Increases, S. Brenna/ M. Anderson, 4 Ayes, Motion Carried.

J. Policies and Procedures for Employee Performance Evaluations: Motion to approve the Policies and Procedures for Employee Performance Evaluations, S. Brenna/ M. Anderson, 4 Ayes, Motion Carried.

VI. Vouchers: Motion to approve vouchers in the amount of \$48,911.74, J. Carlson/ M. Anderson, 4 Ayes, Motion Carried. *[Clerk's note: there was an error in the voucher total due to Boyer Trucks invoice already paid of \$65.43, so the actual voucher totals is \$48,846.31]*

VII. Alternative Claims: Motion to approve Alternative Claims in the amount of \$163,389.92 and \$1,647.60 for the Library, J. Patterson/ M. Anderson, 4 Ayes, Motion Carried.

VIII. Treasurer's Report: Motion to approve the Treasurer's Cash Summary report as of June 30, 2016 showing a total of \$1,163,150.95 and a total available checking account of \$631,649.59, J. Patterson/ M. Anderson, 4 Ayes, Motion Carried.

IX. Minutes

A. Regular Town Board Meeting June 28, 2016: Clerk Montagne noted that she removed the word Resolution from item III. C. 2 for the airport six year improvement plan, and added rates of the contracts for the disposal and hauling contracts with Waste Management under items III. D. The changes submitted by Paul Brummer during Public Comment were also discussed. The minutes will be on the next agenda for approval.

X. Police Department

A. Police Chief's Report: Report prepared by W. Defoe dated 7/8/2016 placed on file by Unanimous Consent.

XI. Emergency Services

A. Fire Chief's Report: None Submitted

B. Date of wage/salary increase for Ambulance Director & Assistant Ambulance Director: the resignation of the Assistant acquisitions was June 15, 2016 and the changes and

wages were approved at the June 28th, 2016 Town Board meeting, Attachment “C” to 2016 Compensations Resolution #2015-1222. Motion to approve the date of the wage/salary increase for Ambulance Director & Assistant Ambulance Director as of June 16, 2016, J. Carlson/ S. Brenna, 4 Ayes, Motion Carried.

XII. Public Comment B:** Charlie Brummer spoke on Pickerel Street: to take into consideration the whole street, just part of it with a cul du sac, etc. Paul Brummer spoke on looking at ways to save the town money but getting a hold on how much employees are costing the town.

XIII. Lawsuits & Legal Issues

(A.) Nelson, et al. v. Defoe, et al. Case No. 15-cv-274-wmc: Nothing to report at this time.

XIV. Liquor & Operators’ Licenses

A. Non-intoxicating Beverage License

1. Island Eats & Catering/ Lake Superior Greenhouses
2. Superieur Petrol, LLC

Motion to approve Non-intoxicating Beverage Licenses for Island Eats & Catering/ Lake Superior Greenhouses, and Superieur Petrol, LLC, M. Anderson/ S. Brenna, 4 Ayes, Motion Carried.

B. Operator’s Licenses

1. Savannah Newton

Motion to approve the Operator License for Savannah Newton, M. Anderson/ J. Carlson, 4 Ayes, Motion Carried.

XV. New Agenda Items for Future Meetings: Budget Report, propane contract, June 28th minutes.

XVI. Adjourn: Motion to adjourn, M. Anderson/ J. Carlson, 4 Ayes, Motion Carried. Adjourned at 6:45pm.

Submitted by Micaela Montagne, Town Clerk

Approved as Submitted, July 26, 2016. M. Montagne, Town Clerk.